



Parker Wilson
Sr. Managing Counsel

August 25, 2017

VIA CERTIFIED MAIL NO. 7016 2070 0000 5835 3915

Thomas A. Mariani, Jr.
Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611, Ben Franklin Station
Washington, D.C. 20044-7611

Re: **Force Majeure Notification**
The Premcor Refining Group Inc. dba Valero Port Arthur Refinery ("Valero")

United States, et.al. v. The Premcor Refining Group Inc., et.al.,
Western District of Texas – Civil Action No. SA-07-CV-00683
"Valero Consent Decree"

Dear Mr. Mariani,

As provided by Paragraph 326 ("Force Majeure") of the above-referenced consent decree, this letter is to notify EPA of circumstances that may cause a delay or impediment to performance in complying with provisions of the Valero Consent Decree. As you know, Hurricane Harvey is anticipated to make landfall along the Gulf Coast on Saturday morning, August 26, 2017. Texas Governor Abbott has issued a proclamation effective August 23, 2017, declaring a state of disaster along the Texas Coast and in 30 Texas counties. The Valero refineries are in the process of organizing ride-out teams and may be shutting down depending on the severity of the storm.

Whether or not Hurricane Harvey directly impacts the Valero refinery, the hurricane may prevent Valero from fulfilling certain routine monitoring requirements under the consent decree (for example, daily carbon canister observations). Depending on the severity and length of the storm, when it does hit the Gulf Coast, Hurricane Harvey may also cause a delay in submission of reporting required by the Consent Decree. We anticipate these delays to continue until the storm has passed and all plant personnel are able to safely return to their duties at the plant. Valero will provide more specific information as it becomes available and will adopt all reasonable measures to avoid or minimize delays in performing its obligations under the Valero Consent Decree.

Thomas A. Mariani, Jr.
Chief, Environmental Enforcement Section
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Sincerely,



Parker Wilson
Environmental/Safety and Regulatory Law

Copy to following Via Certified Mail:

Chief
Air, Toxics, and Inspection Coordination Branch (6EN-A)
Compliance Assurance and Enforcement Division
U.S. Environmental Protection Agency, Region 6
1445 Ross Avenue
Dallas, Texas 75202

CMRRR No. 7016 2070 0000 5835 3922

United States Attorney
Western District of Texas
Attn: Susan Strawn, Assistant U.S. Attorney
601 N.W. Loop 410, Suite 600
San Antonio, TX 78216-5597

CMRRR No. 7016 2070 0000 5835 3953

Ramiro Garcia
Deputy Director, Office of Compliance & Enforcement
Texas Commission on Environmental Quality
P.O. Box 13087, MC 172
Austin, TX 78711-3087

CMRRR No. 7016 2070 0000 5835 3977

Phillip Brooks, Director
Air Enforcement Division (2242A)
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20004

CMRRR No. 7016 2070 0000 5835 3960

Office of the Attorney General of the State of Texas
Natural Resource Division
Attn: Priscilla Hubenak
300 West 15th Street, 10th Floor
Austin, Texas 78701

CMRRR No. 7016 2070 0000 5835 3946

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From: Jordan Farber <jfarber@matrixnewworld.com>
Sent: Tuesday, August 29, 2017 9:19 AM
To: Lundelius, Diana; Foley, Patrick; Jones, John-L; Garing, Ken
Cc: Chew, Andrew; Dan Roper; Basinger, David; Burke, Shaun; Gairola, Sounjay; Dykes, Teresa
Subject: Premcor-Port Arthur-Force Majeure Notification-25-08-17
Attachments: Premcor-Port Arthur-Force Majeure Notification-25-08-17.pdf

Attached please find the following for your review:

Deliverable Title: Force Majeure Notification
Deliverable Date: August 25, 2017
Refinery: Premcor-Port Arthur
Marquee Issue: Force Majeure

Nature of Review: EPA response required.

EPA Review and Turnaround Time
Total Review Time (per CD): 30 Days
Due Date for National Expert/Regional Contact to provide comments to Headquarters: 09/22/17
Due Date for Headquarters to submit written response to refinery: 10/06/17

Completeness Review Conducted by Matrix

Matrix conducted a review of the attached document for completeness purposes only. This review included the following:

- Timely submittal of document (per requirements of CD)
- Document included basic elements set forth in CD
- Completeness of document (i.e. no pages missing)

Attached document appears to contain all requirements set forth in the CD.